

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **AN ELECTRICAL COMPONENT AND A SHUNTABLE/SHUNTED ELECTRICAL COMPONENT AND METHOD FOR SHUNTING AND DESHUNTING**, the specification of which was filed on March 23, 1999 as Serial No. 09/274,367;

We state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein;

We acknowledge the duty to disclose information material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), including any public use, sale, or offer for sale of the disclosed invention occurring more than one year prior to the filing date of this application.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed and have identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

(Number)	(Country)	(Day/month/year filed)	Yes	No	Priority Claimed	
					_____	_____

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Ser No. 60/115,754</u>	<u>Filed January 13, 1999</u>	<u>(Pending)</u>
(Application Serial No.)	(Filing date)	(Status - patented, pending, abandoned)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And we hereby appoint, jointly and severally, Craig M. Gregersen, Registration No. 31,832, Michael J. Kane, Registration No. 39,722, Kurt J. Niederluecke, Registration No. 40,102, and BRIGGS AND MORGAN, 2200 First National Bank Building, 332 Minnesota Street, Saint Paul, Minnesota 55101, our attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, and the general power of attorney to file and prosecute any foreign or International (PCT) application claiming the benefit of priority of this application, or any continuation, continuation-in-part, or divisional thereof.

All communications shall be addressed to:

Craig M. Gregersen
BRIGGS AND MORGAN
2200 First National Bank Building
332 Minnesota Street
Saint Paul, Minnesota 55101
(651) 223-6406

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the above-referenced specification and claims, and we hereby subscribe our names to said specification and claims and to the foregoing declaration, power of attorney and this petition.

Full name of first inventor: Mark T. Girard

Inventor's signature: Mark T. Girard

Date: June 21, 1999

Residence (City/State): South Haven, Minnesota

Mailing Address: 17819 54th Street N.W.
South Haven, Minnesota 55382

Citizenship: United States

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Full name of second inventor: Ryan A. Jurgenson

Inventor's signature: Ryan A. Jurgenson

Date: JUNE 21, 1999

Residence (City/State): Hutchinson, Minnesota

Mailing Address: 20816 Skyview Avenue
Hutchinson, Minnesota 55350

Citizenship: United States

RYAN A. JURGENSON
(Typed name of person making paper or fee)
Ryan A. Jurgenson
(Signature) (Typed name of person making paper or fee)

Attorney Docket No. 27650.8

Applicants: Mark T. Girard and Ryan A. Jurgenson

Serial No: 09/274,367

Filed: March 23, 1999

For: **AN ELECTRICAL COMPONENT AND A SHUNTABLE/SHUNTED
ELECTRICAL COMPONENT AND METHOD FOR SHUNTING AND
DESHUNTING**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR §1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **AN ELECTRICAL COMPONENT AND A SHUNTABLE/SHUNTED ELECTRICAL COMPONENT AND METHOD FOR SHUNTING AND DESHUNTING** described in:

- ☐ the specification filed herewith
- ☒ application Serial No. 09/274,367, filed March 23, 1999.
- ☐ Patent No. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR §1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a non-profit organization under 37 CFR §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- () no such person, concern, or organization
(X) persons, concern, or organization listed below

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities (37 CFR §1.9(e)).

NAME Applied Kinetics, Inc.

ADDRESS 246 Main Street South, Hutchinson, Minnesota 55350

() Individual (X) Small Business Concern () Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18, United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of first inventor : Ryan A. Jurgenson

Inventor's Signature : Ryan A. Jurgenson

Date : JUNE 21, 1999

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KATHY M. THOMP
(Typed or printed name of person mailing paper or fee)
Kathy M. Thompson
(Signature of depositor mailing paper or fee)

Applicants: Mark T. Girard and Ryan A. Jurgenson

Serial No: 09/274,367

Filed: March 23, 1999

For: **AN ELECTRICAL COMPONENT AND A SHUNTABLE/SHUNTED
ELECTRICAL COMPONENT AND METHOD FOR SHUNTING AND
DESHUNTING**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR §1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **AN ELECTRICAL COMPONENT AND A SHUNTABLE/SHUNTED ELECTRICAL COMPONENT AND METHOD FOR SHUNTING AND DESHUNTING** described in:

- ☐ the specification filed herewith
- ☒ application Serial No. 09/274,367, filed March 23, 1999.
- ☐ Patent No. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR §1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a non-profit organization under 37 CFR §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ persons, concern, or organization listed below

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities (37 CFR §1.9(e)).

NAME Applied Kinetics, Inc.

ADDRESS 246 Main Street South, Hutchinson, Minnesota 55350

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18, United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of first inventor : Mark T. Girard

Inventor's Signature : Mark T. Girard

Date : 6/21/99

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BARRY M. THOMP
(Typed or printed name of person mailing paper or fee)
BARRY M. THOMP
(Signature of person mailing paper or fee)

Applicants: Mark T. Girard and Ryan A. Jurgenson

Serial No: 09/274,367

Filed: March 23, 1999

For: **AN ELECTRICAL COMPONENT AND A SHUNTABLE/SHUNTED
ELECTRICAL COMPONENT AND METHOD FOR SHUNTING AND
DESHUNTING**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to
act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Applied Kinetics, Inc.

ADDRESS OF SMALL BUSINESS CONCERN: Applied Kinetics, Inc.
246 Main Street South
Hutchinson, MN 55350

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of

each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled **AN ELECTRICAL COMPONENT AND A SHUNTABLE/SHUNTED ELECTRICAL COMPONENT AND METHOD FOR SHUNTING AND DESHUNTING**, by inventors Mark T. Girard and Ryan A. Jurgenson, described in:

- ☐ the specification filed herewith
- ☒ application Serial No.09/274,367, filed March 23, 1999.
- ☐ Patent No. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention or by any concern which could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(e) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

Pursuant to 37 CFR 3.73(b), I have reviewed the Assignments executed by Mark T. Girard and Ryan A. Jurgenson to Applied Kinetics, Inc. as well as all documents relating to this application, and verify that all right, title, and interest in and to the above application is with Applied Kinetics, Inc. and that assignee corporation has the right to prosecute the above application and take all actions in accordance therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: Ryan A. Jurgenson
Title of person signing: President
Residence (City/State): Hutchinson, Minnesota
Mailing Address: 20816 Skyview Avenue
Hutchinson, Minnesota 55350

SIGNATURE

Ryan A. Jurgenson
Ryan A. Jurgenson

DATE: JUNE 21, 1999

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KATHY M. TRUMP
(Signature)
Kathy M. Trump
(Typed name)